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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,036	11/23/2001	Michael D. Dahlin	1039-0040	4450
34456	7590	05/31/2006	EXAMINER	
LARSON NEWMAN ABEL POLANSKY & WHITE, LLPL. 5914 WEST COURTYARD DRIVE SUITE 200 AUSTIN, TX 78746			GILLIGAN, CHRISTOPHER L	
			ART UNIT	PAPER NUMBER
			3626	

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/992,036		DAHLIN ET AL.	
	Examiner		Art Unit	
	Luke Gilligan		3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-11, 14-20 and 23-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-11, 14-20 and 23-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/20/06</u> . | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. In the amendment filed 3/20/06, the following has occurred: claims 9-10, 14-19, and 23-26 have been amended, claims 1-8, 12-13, and 21-22 have been canceled, and claims 27-38 have been amended. Now, claims 9-11, 14-20, and 23-38 are presented for examination.
2. The double patenting rejection and the rejections under 35 U.S.C. 112 are withdrawn based on changes made by Applicants to the claims.
3. Additionally, the rejections under 35 U.S.C. 102(e) in view of Campbell are withdrawn based on changes made by Applicants to the claims.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 9-11, 14-20, and 23-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Chikovani et al., U.S. Patent No. 6,383,135.
6. As per claim 9, Chikovani teaches a method for documenting medical findings of a physician examination, the method comprising: displaying a first interface including a graphical representation of anatomical features (see column 2, lines 9-12); accepting from a user a first selection of an anatomical feature based on the graphical representation of anatomical features (see column 2, lines 12-14); displaying a second interface including medical information in response to accepting the first selection (see column 2, lines 25-28); accepting from the user a

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second selection from the medical information (see column 2, lines 29-35); and combining the first and second selections to derive at least one medical finding (see column 2, lines 35-37).

6. As per claim 10, Chikovani teaches the method of claim 9 as described above.

Chikovani further teaches the graphical representation of anatomical features includes a graphical representation of a plurality of body locations (see column 2, lines 9-12).

7. As per claim 11, Chikovani teaches the method of claim 10 as described above.

Chikovani further teaches the first selection comprises a response indicative of one of the plurality of body locations (see column 2, lines 12-14).

8. As per claim 14, Chikovani teaches the method of claim 9 as described above.

Chikovani further teaches the step of displaying the second interface comprises displaying a plurality of medical conditions associated with the first selection (see column 2, lines 29-32).

9. As per claim 15, Chikovani teaches the method of claim 14 as described above.

Chikovani further teaches the step of accepting the second selection comprises accepting a selection from the plurality of medical conditions (see column 2, lines 32-35).

10. As per claim 16, Chikovani teaches the method of claim 9 as described above.

Chikovani further teaches the step of displaying the first interface and the step of displaying the second interface take place in different views (see column 2, lines 29-30, i.e. a different set of boxes or screens are displayed).

11. As per claim 17, Chikovani teaches the method of claim 9 as described above.

Chikovani further teaches displaying the second interfaces comprises displaying a second graphical representation including a portion of the anatomical feature with higher detail in response to the first selection by the user indicating the portion of the anatomical features to be displayed (see column 2, lines 20-26).

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12. Claims 18-20 and 23-26 recite substantially similar apparatus limitations to method claims 9-11 and 14-17 and, as such, are rejection for similar reasons as given above.

13. As per claim 27, Chikovani teaches the method of claim 9 as described above. Chikovani further teaches. Chikovani further teaches the second interface includes a drill down button (see column 2, lines 20-26, the Examiner interprets a highlighted area of interest to be a form of "drill down button," as recited).

14. As per claim 28, Chikovani teaches the method of claim 9 as described above. Chikovani further teaches the second interface includes a change system button (see column 5, lines 9-14, the Examiner interprets the displayed additional choices to be a form of "change system button" as recited).

15. As per claim 29, Chikovai teaches the method of claim 28 as described above. Chikovani further teaches displaying a list of systems associated with the first selection in response to a user selection of the change system button (see column 5, lines 11-18, note that successive screens are based upon previous selections).

16. As per claim 30, Chikovani teaches the method of claim 9 as described above. Chikovani further teaches the second interface includes a procedure button (see column 7, lines 18-34).

17. As per claim 31, Chikovani teaches the method of claim 30 as described above. Chikovani further teaches displaying a list of procedures associated with the first selection in response to a user selection of the procedure button (see column 7, lines 35-41, the Examiner interprets at least the displayed tests to be a form of displayed list of procedures).

18. As per claim 32, Chikovani teaches a system comprising a medical content database including a parent place node and a child place node, the parent place node associated with a first region of an anatomy, the parent place node including a graphical depiction associated with

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the first region and an indication of a particular location of the graphical depiction associated with the child place node (see column 2, lines 9-14), the child place node associated with a second region of the anatomy enclosed by the first region of the anatomy (see column 2, lines 14-18); and a medical finding engine, the medical content database accessible to the medical finding engine, the medical finding engine to initiate display of the graphical depiction in an interface associated with the region and to initiate display of medical information associated with the child place node in response to receiving a selection associated with the particular location of the graphical depiction associated with the child place node (see column 2, lines 18-32).

19. As per claim 33, Chikovani teaches the system of claim 32 as described above.

Chikovani further teaches the child place node includes a second graphical depiction associated with the second region (see column 2, lines 20-25).

20. As per claim 34, Chikovani teaches the system of claim 33 as described above.

Chikovani further teaches the medical information associated with the child place node includes the second graphical depiction (see column 2, lines 20-28).

21. As per claim 35, Chikovani teaches the system of claim 33 as described above.

Chikovani further teaches the child place node includes an indication of a second particular location of the second graphical depiction associated with a second child place node (see column 2, lines 20-25, i.e. the various highlighted areas of interest).

22. As per claim 36, Chikovani teaches the system of claim 32 as described above.

Chikovani further teaches the child place node includes a list of problems that may be assigned to findings associated with the second region (see column 2, lines 29-32).

23. As per claim 37, Chikovani teaches the system of claim 32 as described above.

Chikovani further teaches the child place node includes a list of procedures associated with the

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second region (see column 7, lines 35-41, the Examiner interprets at least the displayed tests to be a form of a list of procedures).

24. As per claim 38, Chikovani teaches the system of claim 32 as described above. Chikovani further teaches the medical findings engine is to determine a medical finding in response to receiving the selection and to receiving a second selection associated with the medical information (see column 2, lines 38-50).

Response to Arguments

25. In the remarks filed 3/20/06, Applicants argue in substance that Campbell fails to teach certain features of the claims as amended as well as the newly added claims. Applicants arguments have been fully considered but are now moot in view of the new grounds of rejection detailed above in view of Chikovani.

Conclusion

26. Applicant's amendments with respect the different interfaces and display of anatomical features along with the newly added claims necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

27. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luke Gilligan whose telephone number is (571) 272-6770. The examiner can normally be reached on Monday-Friday 8am-5:30pm.

29. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (571) 272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

30. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

5/25/06


C. LUKE GILLIGAN
PATENT EXAMINER